

The Meeting commenced at 4.30pm.

IN ATTENDANCE

Administrators Mr Garry Payne, (Chairman), Mr Max Boyd.

Also present were Mr Mike Rayner (General Manager), Mr Troy Green (Director Technology & Corporate Services), Mr Patrick Knight (Director Engineering & Operations), Mr Vince Connell (Director Planning & Regulation), Mr David Oxenham (Director Community & Natural Resources), Mrs Meredith Smith (Secretariat Co-ordinator) and Mrs Michelle Swaney (Minutes Secretary).

ABORIGINAL RECOGNITION

Administrator Payne acknowledged the Bundjalung Aboriginal Nation with the following statement:

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

PRAYER

The meeting opened with a Prayer by Council's Chaplain, the Rev'd Colin G Tett, Anglican Rector of Murwillumbah:

Almighty God

*We pray for those gathered today in Council;
Administrators, Management and Staff, along with
concerned and interested citizens, may the work in
harmony for the welfare and development of this Shire
and its people.*

*Guide them, we pray, in their deliberations, help them
to be fair in their judgement and wise in their actions,
so that prosperity, safety and a secure future may be the
lot of our people.*

*We remember local Council Elections taking place later this year,
and ask that you will raise up good and generous spirited candidates,
and for wisdom and discernment amongst those who will vote.*

These things we ask in Jesus' name,

Amen.

RECOGNITION OF SERVICE - ADMINISTRATOR BOYD

Administrator Payne informed the meeting that tonight's meeting would be the last attended by Administrator Boyd at the Murwillumbah Council Chambers in his official capacity as a representative of the people of Tweed Shire. Administrator Payne recognised Administrator Boyd's many years of service as Councillor, President, Mayor and Administrator of Tweed Shire Council. He further advised that the next meeting to be held at Kingscliff on 2 September 2008 would be the last meeting before the Council elections.

CONFIRMATION OF MINUTES

Minutes of the Ordinary Council Meeting held Tuesday 15 July 2008

86 COUNCIL DECISION:

Administrator Payne
Administrator Boyd

RESOLVED that the Minutes of the Ordinary Council Meetings held 15 July 2008 be adopted as a true and accurate record of proceedings of that meeting.

FOR VOTE - Unanimous

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

PLANNING COMMITTEE

87 COUNCIL DECISION:

Administrator Boyd
Administrator Payne

RESOLVED that Council resolves itself into the Planning Committee under the Chairmanship of Administrator Boyd.

FOR VOTE - Unanimous

REPORTS FROM DIRECTOR PLANNING & REGULATION

P1 [PR-PC] Court Judgement in Relation to DA07/0022 for Multi Dwelling Housing Comprising 7 Units at Lot 9 DP 14141 No. 21 Tweed Coast Road, Hastings Point

P 46 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that the judgement of the NSW Land and Environment Court report be received and noted.

FOR VOTE - Unanimous

P2 [PR-PC] Court Judgement in Relation to DA06/0413 for a Staged Seniors Living Development under SEPP (Seniors Living) 2004 Comprising 91 Independent Living Units, 94 Supported Living Units and 67 Beds within a High Care Facility at Lot 1 DP 786570 No. 87-

P 47 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:

1. The judgement of NSW Land and Environment Court be received and noted.
2. Council defend any subsequent Supreme Court Appeal.

FOR VOTE - Unanimous

P3 [PR-PC] Amendment and Re-exhibition of Draft Pottsville Locality Plan and Development Control Plan

P 48 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:

1. Council adopts the findings and conclusions of the Draft MacroPlan *Pottsville Retail Sustainability Assessment* as identified in this report, and notes its support and reinforcement of Council's adopted Retail Strategy.
2. That the investigation of suitable sites for the retail and commercial expansion of the village centre to support the projected population needs of the Pottsville community be reviewed and where appropriate incorporated into the draft Locality Plan and Development Control Plan (DCP).
3. That Council acknowledges that there are opportunities and constraints associated with the public and private land within the village centre and that environmental and physical constraints need to be taken into account during any site suitability investigation.
4. That the public exhibition of the draft Pottsville Locality Plan and DCP be deferred until the village centre retail site suitability investigation has been completed and appropriate amendments to the draft Plan have been made.

FOR VOTE - Unanimous

P4 [EO-PC] Subdivision Manual (Section A5 of the Tweed Development Control Plan)

P 49 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:-

- (a) In accordance with the Environmental Planning and Assessment Regulation 2000, repeals the existing version of Development Control Plan Section A5 – Subdivision Manual and
- (b) In accordance with the Environmental Planning and Assessment Regulation 2000, approves as a replacement draft Development Control Plan Section A5 – Subdivision Manual (August 2008) attached to this report.
- (c) Reviews the flood related controls in Development Control Plan Section A5 - Subdivision Manual as part of the ongoing Tweed Valley Floodplain Risk Management Study.

FOR VOTE - Unanimous

P5 [EO-PC] Development of Flood Liable Land (Section A3 of the Tweed Development Control Plan)

P 50 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:-

- (a) In accordance with the Environmental Planning and Assessment Regulation 2000, repeals the existing version of Development Control Plan Section A3 – Development of Flood Liable Land and
- (b) In accordance with the Environmental Planning and Assessment Regulation 2000, approves as a replacement draft Development Control Plan Section A3 – Development of Flood Liable Land (August 2008) attached to this report.
- (c) Reviews the Development Control Plan Section A3 - Development of Flood Liable Land as part of the ongoing Tweed Valley Floodplain Risk Management Study.

FOR VOTE - Unanimous

P6 [EO-PC] Exhibition of Draft S94 Plan No 5 – Local Open Space

P 51 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Draft Section 94 Contributions Plan No 5 – Local Open Space (Version 6) be placed on public exhibition for a period of 28 days as required by the Environmental Planning & Assessment Regulations to repeal and replace the existing Version.

FOR VOTE - Unanimous

88 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that the Planning Committee resumes in open Council under the Chairmanship of Administrator Payne.

FOR VOTE - Unanimous

89 COUNCIL DECISION:

**Administrator Boyd
Administrator Payne**

RESOLVED that the recommendations of the Planning Committee held Tuesday 12 August 2008 be adopted.

FOR VOTE - Unanimous

OPERATIONS COMMITTEE

90 COUNCIL DECISION:

**Administrator Boyd
Administrator Payne**

RESOLVED that Council resolves itself into the Operations Committee under the Chairmanship of Administrator Payne.

FOR VOTE - Unanimous

REPORTS THROUGH THE GENERAL MANAGER

01 [GM-OC] Tweed Tourism Quarterly Performance Report - April to June 2008

O 207 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council endorses the Tweed Tourism Quarterly Report for the quarter from April to June 2008.

FOR VOTE - Unanimous

02 [GM-OC] Tweed Heads Visitor Information Centre – Department of Commerce Preferred Contractors

O 208 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council adopts the list of recognised contractors designated on the attached Department of Commerce letter, for the purpose of preselecting tenderers for design and construction of the Tweed Heads Visitor Information Centre in accordance with Clause 169 (8) of the Local Government (General) Regulations, 2005.

FOR VOTE - Unanimous

03 [GM-OC] Tweed Economic Development Corporation (TEDC) Quarterly Performance Report - April to June 2008

O 209 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council receives and notes the quarterly report from Tweed Economic Development Corporation for the quarter April to June 2008.

FOR VOTE - Unanimous

04 [TCS-OC] Quarterly Budget Review - 30 June 2008

O 210 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. The Quarterly Budget Review Statement as at 30 June 2008 be adopted.
2. The expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2008.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Operating	350,237	0
Interest	0	0
Capital	0	47,340
Loan Repayments	0	0
Transfers to Reserves	23,467	0
	<u>373,704</u>	<u>47,340</u>
<u>Income</u>	0	0
Operating	0	335,500
Capital Grants & Contributions	0	0
Loan Funds	0	0
Recoupments	0	15,280
Transfers from Reserves	24,416	0
Asset Sales	0	0
	<u>24,416</u>	<u>350,780</u>
Net Surplus/(Deficit)		<u>0</u>

Description	Change to Vote	
	Deficit	Surplus
Water Fund		
<u>Expenses</u>		
Operating	83,925	0
Interest	0	0
Capital	2,743,000	0
Loan Repayments	0	0
Transfers to Reserves	44,575	0
	<u>2,871,500</u>	<u>0</u>
<u>Income</u>		
Operating	0	0
Capital Grants & Contributions	0	0
Loan Funds	0	2,625,000
Recoupments	528,450	0
Transfers from Reserves	0	774,950
	<u>528,450</u>	<u>3,399,950</u>
Net Surplus/(Deficit)		<u>0</u>

Sewer Fund		
<u>Expenses</u>		
Operating	58,325	0
Interest	0	0
Capital	0	5,033,000
Loan Repayments	0	0
Transfers to Reserves	510,675	0
	<u>569,000</u>	<u>5,033,000</u>

<u>Income</u>		
Operating	0	0
Capital Grants & Contributions	0	0
Loan Funds	0	0
Recoupments	3,282,250	0
Transfers from Reserves	1,181,750	0
Asset Sales	0	0
	<hr/>	<hr/>
	4,464,000	0
Net Surplus/(Deficit)		<hr/> <hr/>
		0

FOR VOTE - Unanimous

O5 [TCS-OC] 2008/2009 Loan Borrowing Program

O 211 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. The General Manager and Manager Financial Services be authorised to negotiate acceptance of the loan quotations.
2. The loan documentation be completed under the Common Seal of Council.
3. An amended Loan Schedule be placed on the Tweed Shire Internet site.

FOR VOTE - Unanimous

O6 [TCS-OC] Corporate Quarterly Report - April to June 2008

O 212 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council receives and notes the Corporate Quarterly Report including progress on the 7 Year Infrastructure & Services Plan for the period 1 April to 30 June 2008.

FOR VOTE - Unanimous

07 [TCS-OC] General Fund Loan Restructure

O 213 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:

1. The General Manager and Manager Financial Services be authorised to negotiate acceptance of the loan quotations and payout/break costs should it be financial advantageous and;
2. The loan documentation be completed under the Common Seal of Council.

FOR VOTE - Unanimous

08 [TCS-OC] Council Picnic Day

O 214 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council adopts an annual Council Picnic Day which alternates between:
 - a) Melbourne Cup Day commencing 4 November 2008; and
 - b) A date nominated by the United Services Union delegate and confirmed by the Consultative Committee, as per past standard practice, commencing in 2009.
2. Council Offices to remain open and staffed as required with employees who work accruing a day in lieu, as per past practice for Picnic Day.

FOR VOTE - Unanimous

a08 [TCS-OC] Monthly Investment Report for Period Ending 31 July 2008

LATE ITEM

O 215 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Item a08 being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

FOR VOTE - Unanimous

O 216 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 31 July 2008 totalling \$108,894,972.24 be received and noted.

FOR VOTE - Unanimous

O9 [EO-OC] Regional Road Block Grant 2008/2009

O 217 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:-

1. Accepts the Regional Road Block Grant for \$2,045,000 under the terms of the "Arrangements with Councils for Road Management" and authorises the General Manager to sign the documents.
2. Votes the expenditure.

FOR VOTE - Unanimous

O10 [EO-OC] Flood Awareness Program

O 218 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:-

1. Seeks approval from State Emergency Management Committee (SEMC) to complete the Tweed Valley Community Flood Awareness Program over the next three financial years of 2008/09 to 2010/11 utilising the remainder of the \$30,000 Natural Disaster Mitigation Program (NDMP) grant.
2. Allocate matching funds of up to \$15,000 from Council's existing budgets for Flood Mitigation Maintenance over the next three financial years.
3. Implements the proposed program including erection of flood awareness signage as outlined in the report.

FOR VOTE - Unanimous**O11 [EO-OC] EC2008-087 Supply of Retail Electricity****O 219 COMMITTEE DECISION:**

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:

1. Council awards Contract EC2008-087 for the Supply of Retail Electricity to twenty two (22) contestable sites and the non metered Street Lighting Network to Country Energy for the Contract period of nine (9) months to commence 01 October 2008 and end 30 June 2009.
2. ATTACHMENT A is CONFIDENTIAL in accordance with Section 10A(2)(c) or 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

FOR VOTE - Unanimous**O12 [EO-OC] EC2007-046 Quarterly Variation Report on Contract - Construction of the Murwillumbah Regional Memorial Pool Complex and Car Park****O 220 COMMITTEE DECISION:**

**Administrator Boyd
Administrator Payne**

RECOMMENDED that the June 2008 Quarterly Variations of \$216,856.66 (exclusive of GST) for Contract EC2007- Construction of the Murwillumbah Regional Memorial Pool Complex and Car Park, be received and noted:-

- a) Variation No.11 - Prepare Queen Street embankment for landscaping. (\$48,243.15 GST Excl.)
 - b) Variation No.12 - Preparation of operations manual for completed Tweed Regional Aquatic Centre consisting of System Procedures, Integrated Management Software System and Management hard ware for the Aquatic Centre Management, Installation and Training, Branding, Marketing and Café for the Aquatic Centre Management, Centre Fit out and Management. (\$99,308.06 GST Excl.)
 - c) Variation No.13 - Lighting of Leisure pool. (\$17,740.15 GST Excl.)
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- d) Variation No.14 - Internal stainless steel handrail to hydrotherapy pool (\$10,912.30 GST Excl.)
- e) Variation No.15 - Electronic key pad security devices (\$4,410.00 GST Excl.)
- f) Variation No.16 - Turnstiles changed from manual to accept proximity card readers. (\$4,410.00 GST Excl.)
- g) Variation No.17 - Sheet piling of Queen Street retaining wall required due to poor ground conditions. (\$30,080.00 GST Excl.)

FOR VOTE - Unanimous

O13 [EO-OC] Regional Partnerships Funding - South Tweed Skate Park

O 221 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council receives and notes the advice from the Department of Infrastructure, Transport, Regional Development and Local Government in relation to no funding available for the South Tweed Heads Skatepark.

FOR VOTE - Unanimous

O14 [EO-OC] Park Naming Guidelines Review

O 222 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council adopts the Policy for the Naming of Public Reserves as follows:

NAMING OF COUNCIL PUBLIC PARKS

Objective: To provide a consistent, transparent and standard procedure for the naming of Public Parks under the control of Council

Policy: That Council adopt the following guidelines when considering and approving the naming of Public Parks under the control of Council where each application is to be assessed on its own merits.

1. Application

Council requires an application for the naming of Public Park under the control of Council to be in writing providing the following information:

- (i) *a clear description of the public park to be named, including street address, locality and/or property particulars;*
- (ii) *the proposed name and the reason for the choice of that proposed name, particularly if the proposed name relates to flora, fauna, or contains any descriptive element relating to the Tweed Shire area;*
- (iii) *any history of the land set aside for public park relative to the name proposed;*
- (iv) *any history or historical involvement with the Tweed Shire area of the person or organisation after whom the naming is sought;*
- (v) *contributions by the person or organisation to the Tweed Shire community which may warrant consideration for the proposed name;*
- (vi) *any history of service to the Tweed Shire community that was on a voluntary basis;*
- (vii) *any detailed information in relation to the service and its contribution to the betterment of the Tweed Shire community;*

2. **Assessment Criteria**

- (a) *Council will not consider the names of living persons in accordance with the guidelines of the Geographical Names Board;*
- (b) *No duplication of names within the Tweed Shire local government area;*
- (c) *The person after whom the naming is sought should have made a significant and long term contribution to the Tweed Shire community;*
- (d) *The person after whom the naming is sought must be widely known and respected within the community;*
- (e) *The person after whom the naming is sought must have a recognised historical link with the locality or is generally acknowledged as having made a significant contribution to the social, economic, sporting or cultural development of the community;*
- (f) *The person after whom the naming is sought must have been a resident of the Tweed Shire;*
- (g) *Names of Aboriginal origin associated with the locality or associated with the historical background of the locality will be highly regarded, but must be accompanied by written approval of the name from the Local Aboriginal Land Council existing in the locality of public reserve to be named;*
- (h) *Prior ownership of the land is not sufficient reason to apply the owner's name, personal or corporate, to the public park;*
- (i) *The proposed descriptive name refers to flora, fauna or other descriptive elements refers to local indigenous species and relates directly to the Tweed Shire area.*

3. *Approval Process*

- (1) *If Council approves the application against the criteria listed above, then a report will be made to Council for a resolution to advertise the name in the Tweed Link or any other local newspaper inviting submissions from the public for a twenty eight (28) day submission period. Any submissions received will be considered in a further report to Council.*
- (2) *Proposal to be assessed against any submissions received and a recommendation for approval or otherwise to be made in report to Council.*

FOR VOTE - Unanimous

O15 [EO-OC] Acquisition of Crown Land - Dunbible Creek, Dunbible

O 223 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council approves the acquisition of Lot 1 in DP 1127753 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act, 1993 and the making of the necessary application to the Minister and/or Governor;
2. Lot 1 in DP 1127753 be dedicated as road following gazettal of the acquisition; and
3. All necessary documentation be executed under the Common Seal of Council.

FOR VOTE - Unanimous

O16 [EO-OC] Road Closure Application - Broadwater Esplanade, Bilambil Heights

O 224 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council approves the closure of part of the road reserve adjacent to Lot 352 in DP 31041, Broadwater Esplanade, Bilambil Heights being an area of 10m deep x 8m wide from the North Eastern boundary point;

2. The applicant bears all survey and legal costs and purchases the subject land as determined in value by the State Valuation Office;
3. The title of the closed road be consolidated with the adjacent land;
4. Easements be created over public authority reticulation services, if any; and
5. All necessary documentation be executed under Common Seal of Council.

FOR VOTE - Unanimous

O17 [EO-OC] Application for Gate across Public Road - Corkwood Road, North Tumbulgam

O 225 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that :-

1. Council approves the granting of a permit to the applicant for a public gate across Corkwood Road, North Tumbulgam approximately 40m south east of Lot 1 in DP 589498; and
2. All necessary documentation be executed under the Common Seal of Council.

FOR VOTE - Unanimous

O18 [EO-OC] Naming of Public Road Tweed Heads - Wharf Street and Kennedy Drive

O 226 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council adopts the name of "Terranora Terrace", being the road which runs from River Terrace to the intersection of Wharf Street at Tweed Heads and
2. Council adopts the name of "Wharf Street", being the on ramp leading from Kennedy Drive to Wharf Street at Tweed Heads and
3. Council adopts the name of "Kennedy Drive", being the off ramp leading from Wharf Street to Kennedy Drive at Tweed Heads and

4. The naming of the public roads be gazetted under the provisions of the Roads (General) Regulation, 1994 and the Roads Act, 1993.

FOR VOTE - Unanimous

O19 [CNR-OC] Contract (EC2008-068) Removal & Disposal/Reuse of Biosolids from Banora Point Wastewater Treatment Plant & Kingscliff Wastewater Treatment Plant

O 227 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council awards Contract EC2008-068 (Removal and Disposal/Reuse of Biosolids from Banora Point Wastewater Treatment Plant and Kingscliff Wastewater Treatment Plant) for the Scheduled rates of (Rate 1) \$35.90 per wet tonne (excl GST) for Biosolids reused within Tweed Shire and surrounding Shires (Byron, Lismore, Ballina, Beaudesert and Gold Coast) and (Rate 2) \$59.20 per wet tonne (excl GST) for Biosolids reused in the localities other than those listed in Rate 1 to Arkwood Organic Recycling.
2. ATTACHMENT A is CONFIDENTIAL in accordance with Section 10A(2)(c) or Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

FOR VOTE - Unanimous

O20 [CNR-OC] Tweed River Estuary Recreational Boating Study

The following persons addressed the meeting of the Operations Committee on this matter.

Ms Katie Milne
Mrs Polly Jordan

O 228 COMMITTEE DECISION:

Administrator Boyd
Administrator Payne

RECOMMENDED that the Tweed River Estuary Recreational Boating Study 2008 be received and noted and further considered by the new Council.

FOR VOTE - Unanimous

O21 [CNR-OC] Northern Rivers Catchment Management Authority Current Best Management Practices Coastal Floodplains 08/09 (Tweed) Contract No. IS 8-9-S-5 (a)**O 229 COMMITTEE DECISION:**

Administrator Boyd
Administrator Payne

RECOMMENDED that Council accepts the contract from Northern Rivers Catchment Management Authority of \$45,000 to undertake floodplain management works and votes the expenditure.

FOR VOTE - Unanimous

O22 [CNR-OC] Request for "In Kind" Support/Waive Fee**O 230 COMMITTEE DECISION:**

Administrator Boyd
Administrator Payne

RECOMMENDED that Council:-

1. With reference to the request from Tweed Valley Jazz Club Inc, provides the Murwillumbah Civic Centre free of charge for the High Schools Workshops on 9 September 2008, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".

2. With reference to the request from Murwillumbah Evening Branch of Country Women's Association of NSW, provides the Murwillumbah Civic Centre for a reduced fee of \$106 being 50% of the full fee of \$212 for the Annual Craft Fair Expo on 19 and 20 September 2008, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".
3. With reference to the request from Tweed Valley Banana Festival & Harvest Week, provides the Murwillumbah Civic Centre Auditorium free of charge for Banana Festival activities from 18 to 30 August 2008, and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".
4. With reference to the request from United Hospital Auxiliaries of NSW Inc (Tweed Heads Branch), provides the Tweed Heads Civic Centre:
 - (a) South Sea Islander Room (including kitchen) free of charge for the 2009 meetings (10) to be held on 2 February, 2 March, 6 April, 4 May, 1 June, 7 July, 7 September, 5 October, 2 November and 7 December 2009;
 - (b) Auditorium free of charge for the Annual General Meeting to be held on 3 August 2009;
 - (c) Auditorium for a reduced fee of \$106.50 being 50% of the full fee of \$213 for the fashion parade to be held on 25 May 2009;
 - (d) Auditorium and South Sea Islander Room for a reduced fee of \$325 being 50% of the full fee of \$650 for the set up of the Annual Hospital Fete on 8 and 9 October 2009 and for the Fete to be held on 10 October 2009;and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".

FOR VOTE - Unanimous

O23 [CNR-OC] Proposed Service Improvement Funding

O 231 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council accepts the Service Improvement Funding from Department of Ageing, Disability and Home Care of \$9,201 and votes the expenditure.

FOR VOTE - Unanimous

O24 [CNR-OC] Youth Policy for Tweed Shire

O 232 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:

1. Adopts the Youth Policy as reported and;
2. Instigates the development of a five year implementation plan.

FOR VOTE - Unanimous

O25 [CNR-OC] Tweed Shire Community Crime Prevention Action Plan 2008

O 233 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council:

1. Adopts the Tweed Shire Community Crime Prevention Action Plan 2008 as exhibited.
2. Sends a copy of the Action Plan 2008 to the Attorney General's Department requesting its endorsement.
3. Authorises the formation of the Tweed Shire Crime Prevention Action Committee as a broad forum for the coordination of crime prevention activities within the Shire, with appropriate representation from key community stakeholder groups, and supported by Council officers.

FOR VOTE - Unanimous

91 COUNCIL DECISION:

**Administrator Boyd
Administrator Payne**

RESOLVED that the recommendations of the Operations Committee held Tuesday 12 August 2008 be adopted.

FOR VOTE - Unanimous

SCHEDULE OF OUTSTANDING RESOLUTIONS

Nil.

ADMINISTRATOR'S MINUTE**[AM] Signing of Documents****Documents signed by Administrators****Administrator Boyd**

10 July 2008	Extinguishment of Easement - Lot 2 DP1040576 - Banora Point
10 July 2008	Extinguishment of Easement - DP1115395 - Pottsville
10 July 2008	Extinguishment of Easement - DP1057733 - Murwillumbah
15 July 2008	Request - Land Acquisition - Crabbes Creek Road - Crabbes Creek
17 July 2008	Deed of Agreement - Acquisition of Easement - Lot 2 DP7273324 - Murwillumbah
17 July 2008	Lease - Hangar 3 and 10 Murwillumbah Airfield
24 July 2008	Cabarita Beach Sports Centre - Caretaking Agreement
30 July 2008	Lease - 1 Nullum Street - Murwillumbah
30 July 2008	Request - Land Acquisition - Byrill Creek Road - Byrill Creek

92 COUNCIL DECISION:

Administrator Boyd
Administrator Payne

RESOLVED that the information be received and noted.

FOR VOTE - Unanimous

ORDINARY ITEMS FOR CONSIDERATION**REPORTS FROM THE GENERAL MANAGER**

Nil.

REPORTS FROM THE DIRECTOR PLANNING & REGULATION

Nil.

REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

Nil.

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

1 [EO-OC] Park Naming – ‘Knight Family Park’

93 COUNCIL DECISION:

Administrator Boyd
Administrator Payne

RESOLUTION that Council advertises the proposal to name the area on the river bank in River Street Murwillumbah as illustrated in this report “Knight Family Park” in the Tweed Link for twenty eight (28) days inviting submissions from the public.

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

1 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Tuesday 17 June 2008

94 COMMITTEE DECISION:

Administrator Boyd
Administrator Payne

RECOMMENDED that the:-

1. Minutes of the Sports Advisory Committee Meeting held Tuesday 17 June 2008 be received and noted; and
2. Director's recommendations be adopted as follows

1 *Sport and Recreation Service Deliver MOU:*

That Council adopts the “Sport and Recreation Service Delivery Memorandum of Understanding” between Tweed Shire Council and NSW Department of Sport and Recreation.

CORRESPONDENCE:

That Council contributes \$3,311.00 from the Sportsfield Asset Reserve Fund to Terranora Lakes Equestrian Club toward the upgrade of the horse yards.

FOR VOTE - Unanimous

2 [SUB-LTC] Minutes of the Local Traffic Committee meeting held Thursday 17 July 2008

95 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that the:-

1. Minutes of the Local Traffic Committee Meeting held Thursday 17 July 2008 be received and noted; and
2. Director's recommendations be adopted as follows

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Murwillumbah Multi-Level Car Parking Complex - Proposed Car Parking Arrangements

FILE NO: DW1846867; Civic Centre - Murwillumbah; Car Parks - Murwillumbah; Traffic - Committee

That in relation to the Murwillumbah Car Parking Complex:-

38 of the 98 ground floor car spaces be restricted to a two hour limit (8.00AM to 5.00PM Monday to Friday) and the remaining 54 (non disabled) car spaces on the ground floor be restricted to a four hour limit (8.00AM to 5.00PM Monday to Friday).

A2 [LTC] Eucalyptus Drive Banora Point

FILE NO: DW1852285; Traffic; School Zones; Safety; Parking Zones; DW1847872; 1847873

That the:-

1. *Bus zone on Eucalyptus Drive adjacent to Centaur Primary School be extended by one bus space towards Covent Gardens Way subject to resolving problems associated with conflict regarding the school car park driveway.*

2. *On road 90 degree parking spaces on Eucalyptus Drive adjacent to the High School be signed as "Front in Only".*

A3 [LTC] - Buchan Avenue Tweed Heads

FILE NO: DW1848414; 1848417; Traffic, Committee, Linemarking, Parking Zones;

That "No Stopping" signs be installed on Buchan Avenue and Banksia Avenue adjacent to the double centre lines near the intersection of Solander Street.

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Festival of Speed on Tweed - Road Closures

FILE NO: DW1847871 – Traffic Committee; Road Closures – Temporary (including traffic)

That the following temporary road closures be approved for Speed on Tweed, subject to police approval being obtained, traffic control plans being developed and consultation with affected property owners and businesses:-

1. *All roads within the circuit precinct as shown on the submitted plan A1 from 4pm Friday 19 September to 7pm Sunday 21 September 2008. Arrangements will be made for access for all residents within this precinct when racing is not in progress.*
2. *Friday 19 September 5:00pm to 11:00pm
Main Street between Queensland Road and Commercial Road*
3. *Saturday 20 September 4.30pm to 11:00pm
Main Street between Brisbane Street and Commercial Road and Brisbane Street between Proudfoots Lane and Main Street for kerb-side dining and street entertaining.*
4. *Saturday 20 and Sunday 21 September 2008
Queen Street from 5:00am on Saturday to 5:00am on Sunday for the erection of a stage.*

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 [LTC] Pacific Highway and Laura Street, Sexton Hill

FILE NO: DW1840037; Traffic - Directional Sign; Traffic - Safety; Laura Street; Pacific Highway, Banora Point; Minjungbal Drive

That no action be taken as the warrants for Stop Signs are not met.

FOR VOTE - Unanimous

ADJOURNMENT OF MEETING

Adjournment for Community Access at 5.25 pm.

RESUMPTION OF MEETING

The Meeting resumed at 5.50pm

ITEM NOT ON THE AGENDA

Tweed Coast Regional Crown Reserve Draft Plan of Management

96 COUNCIL DECISION:

Administrator Payne
Administrator Boyd

RESOLVED that the General Manager writes to the Department of Lands, requesting that the exhibition period of the Tweed Coast Regional Crown Reserve Draft Plan of Management be extended by three (3) months to allow time for submissions.

FOR VOTE - Unanimous

ORDERS OF THE DAY

Nil.

QUESTION TIME

Nil.

The General Manager reported that the Confidential Committee of the Whole had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE**a1 [GM-CM] Speed on Tweed Funding****REASON FOR CONFIDENTIALITY:**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

LATE ITEM**C 31 COMMITTEE DECISION:**

That Confidential Item a1 being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

FOR VOTE - Unanimous

C 32 COMMITTEE DECISION:

That the General Manager be given delegated authority to negotiate with event organisers as detailed in the body of the Report.

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS**1 [EO-CM] Construction of Culvert - Kallaroo Circuit Bund, Ocean Shores****REASON FOR CONFIDENTIALITY:**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

C 33 COMMITTEE DECISION:

That Council endorses the action taken to assist Byron Shire Council in progressing construction of the Kallaroo Circuit Bund culvert.

FOR VOTE - Unanimous

2 [EO-CM] Tweed Heads Swimming Pool - Learn to Swim Licence Agreement

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

C 34 COMMITTEE DECISION:

That Council varies the Deed of Grant of Licence between Tweed Shire Council and Toni Lewis and Michael Tom Trading as Toni Lewis Coaching dated 1 June 2005 as follows:

- ITEM 3: Licence Fee: \$1000.00 (inclusive of GST) per month
- ITEM 5: Term: Commencing 1 September 2008 and terminating 31 May 2010.
- ITEM 7 Delete

FOR VOTE - Unanimous

3 [EO-CM] Houses on Road Reserve - Reserve Creek Road, South Murwillumbah

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (b) the personal hardship of any resident or ratepayer

C 35 COMMITTEE DECISION:

That Council pursues the payment of outstanding rates and requires the Estate of Delca Britton to remove or demolish the dwelling located at No. 108 Reserve Creek Road, South Murwillumbah.

FOR VOTE - Unanimous

97 COUNCIL DECISION:

Administrator Boyd

Administrator Payne

RESOLVED that the recommendations of the Confidential Committee of the Whole be adopted.

FOR VOTE - Unanimous

There being no further business the Meeting terminated at 6.00pm.



Minutes of Meeting Confirmed by Council

at Meeting held

Chairman